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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,363	04/19/2001	Young-Sik Park	678-572 (P9448)	2478
28249	7590	09/12/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			GANTT, ALAN T	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/838,363

Applicant(s)

PARK ET AL.

Examiner

Alan T. Gantt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-10 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 90904.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Emilsson et al, in view of Whalen et al., and further in view of Nunally.

Regarding claim 1, Emilsson discloses a method and a radio terminal apparatus for interaction with a service provider for multimedia service applications. Emilsson provides for a service function that services three multimedia applications within the radio terminal. The service function performs similar function as applicant's multimedia service processor (Figure 1 refs. 3-6). Emilsson's multimedia application ref. #4 is equivalent to applicant's image processor and does buffer received information (col. 6, lines 30-42). The control function is seen as equivalent to applicant's main controller. Thus, Emilsson meets the following limitations:

a main controller for controlling a call setup operation between the mobile terminal and a base station; (col. 6, lines 4-11 – control function)

a multimedia service processor (col., 6, lines 11-20 –the service function performs this functionality); and

an image processor for buffering information received from the main controller and the multimedia service processor (col. 5, line 57 to col. 6, line 11 and

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Figure 1 – video multimedia application), converting the buffered information according to an output mode of the display and providing the converted information to the display driver; (col. 5, line 57 to col. 6, line 11 and Figure 1 – typical expectation of a video multimedia application) and

outputs received image data through the image processor, outputting received menu and character information data to the main controller (col. 5, line 57 to col. 6, line 11 and Figure 1 – video multimedia application to service function to control function))

Emilsson is not specific regarding the other aspects called out by applicant's claim language.

Whalen et al. provides for a system and method of delivery of information over narrowband communication links where the system has a browser, mobile client, a fixed server and an origin host. Like applicant's invention, Whelan mobile client transmits a request for multimedia service where the server retrieves the resources and transmits the resources back to the mobile client, which sends the resources to the browser upon request. Thus, Whalen meets the limitations:

a display for outputting image data; (col. 7, lines 16-28)

a display driver for driving the display; (col. 7, lines 16-28 – obvious)

wherein said multimedia service processor upon receipt of a multimedia service request (Abstract), accesses a corresponding server and sends a data request to the server (col. 3, line 38 to col. 4, line 21)

Both Emilsson and Whalen are silent regarding the use of a codec for audio or otherwise.

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Nunally teaches a method and apparatus for performing a multimedia function through the use of an application specific processor and applies the technology to mobile stations.

Nunally meets the following limitations:

a codec for coding an audio signal output from a microphone and decoding a received audio signal; (paragraph 0025) and

outputs received audio data through the codec (paragraph 0025).

Emilsson, Whalen, and Nunally are combinable because they share a common endeavor, namely, mobile terminal that can perform multimedia functionality. At the time of the applicant's invention it would have been obvious to modify Emilsson to provide the means for requesting multimedia and accessing a server as done by Whalen to put the process in motion and to modify the combination to include codecs as done by Nunally for providing coding and decoding interfacing to audio data such as data from a telephone signal.

Allowable Subject Matter

Claims 6-10 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 6, a method for providing a multimedia service in a mobile terminal where the use of a multimedia service processor that has the processor connecting a call through the main controller to handle a request to the server, as well as interacting with the main controller in receiving the resources to implement the received resources from the server and also analyzing this received information by the multimedia service processor at the time the

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information is received at the multimedia service processor to provide certain types of information to the main controller and sending image data to the image processor and audio information through the codec was neither found, suggested, nor made evident by the prior art.

Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2, the use of two buffers for the image processor within a mobile station was neither found, suggested, nor made evident by the prior art.

Regarding claim 3, an image switching section interposed between the display driver and the image processor was neither found, suggested, nor made evident by the prior art

Regarding claim 4, an audio switching section interposed between the multimedia service processor and the codec for providing audio output from either the multimedia service processor or the main controller to the codec were neither found suggested, nor made evident by the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Landress et al. discloses a system and method for creating and delivering customized multimedia communications.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (571) 272-7878. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (571) 273-8300.

Any inquiry of a general nature or relating to this application should be directed to Supervisory Patent Examiner Nay Maung at telephone number (571) 272-7882.

Alan T. Gantt

Alan T. Gantt

September 5, 2005

Jemica M. Beamer
TEMICA BEAMER
PRIMARY EXAMINER